

-2-

REMARKS

The Form PTO-948 Notice of Draftperson's Patent Review provided with the Notice Regarding Drawings identified 13 figures to which the Draftperson objected. The identified figures and the grounds for objection were as follows:

Figures 11, 13, 14, 23, 24 and 29: views not labeled properly

Figures 9-12, 22, 23, 26-28: poor line quality


Figure 9: solid black shading not permitted

Being filed herewith are replacement Figures 9-14 and 22- 29 addressing each ground for objection. In Figure 9, all shading has been removed and, as a result no shading scale is needed. The shading scale that was located on the right side of the original figure has been deleted. No other changes have been made to the drawings other than addressing the objections. No new matter is added by way of these drawing corrections.

Should the Examiner believe that prosecution of this application might be expedited by further discussion of the issues, he is invited to telephone the undersigned attorney for Applicants at the telephone number indicated below.

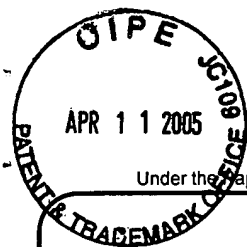
Respectfully submitted,

Dated: April 8, 2005

By: 
Eleanor M. Musick
Attorney for Applicants
Registration No. 35,623

PROCOPIO CORY HARGREAVES & SAVITCH LLP
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Docket No. 0161[112092-000039]



B1 ^{EPW} 2/29

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

21

Application Number

10/057,849

Filing Date

January 24, 2002

First Named Inventor

Isabelle Guyon

Art Unit

2129

Examiner Name

George B. Davis

Attorney Docket Number

0161 (112092-0039)

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☒ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please Identify
below):
Inventor Declaration and Power
of Attorney; Return Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Procopio, Cory, Hargreaves & Savitch LLP

Signature

Printed name

Eleanor M. Musick

Date

April 8, 2005

Reg. No.

35,623

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Eleanor M. Musick

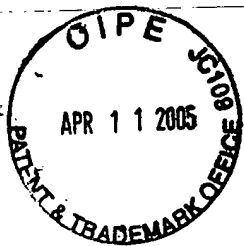
Date

April 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
ISABELLE GUYON et al.) FOR: METHODS OF IDENTIFYING
) PATTERNS IN BIOLOGICAL
Serial No.: 10/057,849) SYSTEMS AND USES THEREOF
)
Filed: January 24, 2002)
) Group Art Unit: 2129

LETTER TRANSMITTING INVENTORS' DECLARATIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Attention: George B. Davis
Examiner

Dear Sir:

In the above-referenced application, Assignee Biowulf Technologies, LLC had filed a petition under 37 CFR 1.47(b) seeking examination of the application when the inventors refuse to cooperate, which petition was granted by the PTO on September 15, 2003. In spite of their prior refusal, the inventors recently agreed to cooperate and have executed the Declaration and Power of Attorney, copies of which are submitted herewith.

Respectfully submitted,

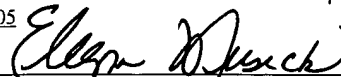
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By: 
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Registration No. 35,623

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Docket No. 0161[112092-000039]

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 8, 2005


Eleanor M. Musick (Reg. No. 35623)